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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,522	01/15/2004	Yuuhei Kurono	04329.3221	4588
22852	7590	06/20/2007	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			REGO, DOMINIC E	
ART UNIT	PAPER NUMBER		2618	
MAIL DATE	DELIVERY MODE		06/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/757,522	KURONO, YUUHEI
	Examiner Dominic E. Rego	Art Unit 2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 19 March 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-8 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>05/02/2007</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Emmert et al. (US Patent #6,600,662).

***Regarding claim 1,*** Emmert teaches a portable radio communication apparatus comprising:

a main body including a first housing, a second housing and a hinge foldably coupling the first and second housings (Col 2, lines 8-10);

a first circuit board provided in the first housing (Col 2, lines 8-12: *Emmert teaches front portion 106 of the top housing comprises an ear piece 202 defined in bottom surface 203 and a lens 204 positioned in an aperture in the top housing, so a first circuit board provided in the first housing for displaying images*);

a second circuit board provided in the second housing (Col 2, lines 44-57);

an electric part provided in the second housing independent from the second circuit board (*Figure 3, an electric part 706 provided in the second housing independent from the second circuit board 718*); and

a connection member extending through the hinge and electrically connected between the first and second circuit boards (*Figure 2, whenever presses a button 214,*

*display unit 204 is displaying the output, so a connection member extending through the hinge and connected between the first and second circuit boards) and having a branched portion connected at least one of the first and second circuit boards to the electric part (Figure 3, a branched portion connected at least one first 790 and second circuit boards 718 to the electric part 706; Col 2, line 45-Col 3, lines 14).*

**Regarding claim 2,** Emmert teaches the portable radio communication apparatus, further comprising a third circuit board configured to mount the electric part thereon (*Figure 3, the portable radio communication apparatus, further comprising a third circuit board 710 configured to mount the electric part 706 thereon*).

**Regarding claim 3,** Emmert teaches the portable radio communication apparatus, wherein the third circuit board is arranged substantially parallel to the second circuit board (*Figure 3, the portable radio communication apparatus, wherein the third circuit board 710 is arranged substantially parallel to the second circuit board 718*).

**Regarding claim 4,** Emmert teaches the portable radio communication apparatus, wherein the connection member includes a conductor electrically connected to the first and second circuit boards (*Figure 3, the portable radio communication apparatus, wherein the connection member includes a conductor electrically connected to the first 112 and second circuit boards 718*) and the electric part which serves as one of a power supply line, a grounded line and a signal line (*Figure 3, electric part 706 which serves as one of a power supply line 708, a grounded line and a signal line*).

**Regarding claim 5,** Emmert teaches the portable radio communication apparatus, wherein the electric part is mounted on the branched portion of the

connection member (*Figure 3, the electric part 706 of line 708 is mounted on the branched portion of the connection member 748 of second circuit board of 718*).

**Regarding claim 6,** Emmert teaches a connection member for use in a portable radio communication apparatus having a first housing configured to receive a first circuit board and a second housing configured to receive a second circuit board (*Figure 2, whenever presses a button 214, display unit 204 is displaying the output, so a connection member extending through the hinge and connected between the first and second circuit boards*), an electric part and a hinge configured to couple the first and second housing and foldably supporting the first and second housing (Col 2, lines 8-10), the electric part being provided in the second housing independent from the second circuit board (*Figure 3, an electric part 706 provided in the second housing independent from the second circuit board 718*), the connection member comprising:

a first connecting portion including a first conductor which electrically connects the first and second circuit boards (*Figure 3, the portable radio communication apparatus, wherein the connection member includes a conductor electrically connected to the first 112 and second circuit boards 718*); and

a second connecting portion branched from the first connecting portion and including a second conductor which electrically connects at least one of the first and second circuit boards to the electric part (*Figure 3, a branched portion connected at least one first 790 and second circuit boards 718 to the electric part 706; Col 2, line 66-Col 3, lines 14*).

**Regarding claim 7,** Emmert teaches the connection member, further comprising

a third conductor which is electrically connected to the first and second circuit boards (*Figure 3, the portable radio communication apparatus, wherein the connection member includes a conductor electrically connected to the first 112 and second circuit boards 718*) and the electric part which serves as one of a power supply line, a grounded line or a signal line (*Figure 3, electric part 706 which serves as one of a power supply line 708, a grounded line and a signal line*).

**Regarding claim 8,** Emmert teaches the connection member, wherein the second connecting portion has a mount surface on which the electric part is to be mounted (*Figure 3, second connecting portion 718 has a mount surface 748 on which the electric part 706 of line 708 is to be mounted*):

**Response to Arguments**

3. Applicant's arguments filed 03/19/2007 have been fully considered but they are not persuasive. Regarding claims 1 and 6, applicant argues that Emmert fails to teach a connection member extending through the hinge and connected between the first and second circuit boards. The examiner disagrees. Radio telephone with open case is shown in figure 2, wherein the top portion has a display portion 204 with a speaker 202 and bottom portion has a keyboard and other circuitry. In order to make a phone call, key has to press from the keyboard and display unit will show the number that the user presses, so there is an electrical connection through the hinge between the display unit and the keyboard. Also, when incoming call receives, in order to communicate with the other parties, microphone and speaker has to be on and connect to each other through the hinge. Applicant argues that Emmert fails to teach a connection member having a

branched portion connected at least one of first and second circuit boards to the electric part. The examiner disagrees. First of all, applicant states that the branched portion connected at least one of first and second circuit boards. So it can be either first circuit board which inside the case 790 or second circuit board. According to Emmert, figure 3, branched portion connected to second circuit board *718 to the electric part 706 (Also See Col 2, line 45-Col 3, lines 14)*. For dependent claims 2-5,7, and 8, see claim rejection.

***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dominic E. Rego whose telephone number is 571-272-8132. The examiner can normally be reached on Monday-Friday, 8:30 am-5 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Dominic E. Rego

NAY MAUNG  
SUPERVISORY PATENT EXAMINER